

# TENNESSEE REGULATORY AUTHORITY

Melvin Malone, Chairman  
Lynn Greer, Director  
Sara Kyle, Director



460 James Robertson Parkway  
Nashville, Tennessee 37243-0505

September 7, 1999

99-00600

Mr. Charles L. Howorth, Jr.  
Regulatory Vice President  
BellSouth Telecommunications, Inc.  
333 Commerce Street #2104  
Nashville, TN 37201-3300

Dear Mr. Howorth:

BellSouth recently filed Tariff 99-00600 to provide Contract Service Arrangement TN99-4663-00 for a discount based on revenue commitment to a customer. To assist the Authority in our evaluation of this filing, we request that you provide responses to the following:

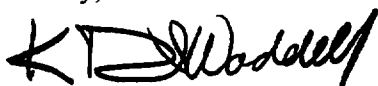
1. If the customer decides to terminate the contract so as to trigger the termination liability provisions described in § X of the contract, will the customer also be required to pay a commitment shortfall in accordance with § VI of the contract at the time of termination?
2. If BellSouth's response to item 1 is in the negative, provide a contract amendment or letter of agreement stating that the commitment shortfall described in § VI of the contract is not applicable upon customer's early termination of the contract.
3. Did the customer receive a competitive offer(s) from a competing telecommunications service provider(s)?
4. If BellSouth's response to item 3 is in the affirmative, provide an Affidavit from the customer certifying the following:
  - a. The name(s) of the competing provider(s) making the competitive offer(s);
  - b. The time period during which the competing provider(s) identified in 4.a. negotiated with the customer and made the competitive offer(s); and
  - c. That BellSouth did not initiate negotiations regarding a contract service arrangement with the customer prior to the time period during which the competitive threat occurred as identified in 4.b.

5. The Affidavit must contain the following statement, taken from BLACK'S LAW DICTIONARY 58 (6<sup>th</sup> ed. 1990), which acknowledges that:

The customer to this contract service arrangement understands that an Affidavit is a written or printed declaration or statement of facts, made voluntarily, and confirmed by the oath or affirmation of the party making it, taken before a person having authority to administer such oath or affirmation.

We request that you file five (5) copies of your responses with the Authority by Noon on Friday, September 10, 1999.

Sincerely,

A handwritten signature in black ink, appearing to read "K. David Waddell". The signature is stylized with a large, bold "K" and a cursive "Waddell".

K. David Waddell  
Executive Secretary

cc: Mr. Guy Hicks